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HIGH COURT OF JUDICATURE CHHATTISGARH : BILASPUR

DIVISION BENCH

CORAM : HON'BLE SHRI S.R. NAYAK, CJ.
HON'BLE SHRI D.R. DESHMUKH, J.

Writ Petition No.847 of 2006

PETITIONER

Laldas Satnami
Aged 70 year
S/o Laxman Satnami
R/o Gram-Parasbod
P.S. – Saja, Distt. Durg (CG)

Versus

RESPONDENTS

1. State of Chhattisgarh
Through Secretary
Deptt. of Home
D.K. S. Bhawan, Raipur (C.G.)
2. Superintendent of Police
Durg (C.G.)
3. Station House Officer
Saja, Durg (C.G.)

Present : Shri Utkarsh Verma, learned Dy. G.A. for the State.

ORAL ORDER
(Passed on 29th August, 2006)

The following oral order of the Court was passed by

S.R. Nayak, CJ.

The complaint of the petitioner is that on 29-11-2005, at about 8.00 p.m. five persons namely Khelu Satnami, Pardesi, Dwarika, Gaukaran Satnami, Begambai armed with clubs and sticks, entered the house of the petitioner, abused the petitioner and his wife and asked the petitioner to transfer his land in their names. It is also alleged that they assaulted the petitioner and his wife with clubs and sticks. In that regard, it is said, a report was lodged with the Station House Officer, Saja, Durg district, the 3rd respondent herein, but, no action was taken on that complaint. Treating the above petition as taken up writ petition, notices were ordered. In response to the notice, a return supported by an affidavit

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sworn to by D.P. Tiwari, Deputy Superintendent of Police, Durg district is filed. In the return, it is categorically asserted that no complaint was lodged by the petitioner at any point of time, but, it is stated that on a complaint lodged with the Chhattisgarh State Human Rights Commission, by the petitioner, the Commission forwarded the same to the Senior Superintendent of Police, Durg district on 17-03-2006, and the Police after registering the same caused an enquiry in the matter. The enquiry revealed that the dispute between the parties is purely civil in nature and does not disclose any cognizable offence. There is no good reason for us to doubt the sworn statement made by a responsible Police Officer on oath. In that view of the matter, we do not find it necessary to monitor this case any further. Accordingly, the writ petition is disposed of.

Sd/-
Chief Justice

Sd/-
Dilip Raosaheb Deshmukh
Judge

Kamde